

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

LETIMEGO WILLIAMS,

Plaintiff,

v.

CASE NO. 8:22-cv-197-WFJ-SPF

KILOLO KIJAKAZI,
Acting Commissioner of Social
Security,

_____ /

ORDER

This cause comes before the Court on Plaintiff's application to proceed *in forma pauperis* (Dkt. 2) and the complaint (Dkt. 1). The magistrate judge issued a report recommending *in forma pauperis* status be denied and the case be dismissed as untimely. Dkt. 4. The time for filing objections has passed.

The Court reviews the legal conclusions *de novo* in the absence of an objection. *See LeCroy v. McNeil*, 397 F. App'x 554, 556 (11th Cir. 2010) (citation omitted); *Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994). The magistrate judge found that although indigent, Plaintiff failed to supplement her complaint by filing either the final decision of the Commissioner of the Social Security Administration or the notice from the appeals board denying her appeal. *See* Dkt. 3 (Order directing supplementation). Without same, Plaintiff has not shown her complaint was timely filed within 60 days after the Commissioner's

decision became final. The Court agrees that Plaintiff's case is untimely based on the reasons set forth in the Report and Recommendation, and in conjunction with an independent examination of the file. Accordingly, the Court rules as follows:

1. The Report and Recommendation (Dkt. 4) is adopted, confirmed, and approved in all respects and made a part of this order.

2. Plaintiff's motion to proceed *in forma pauperis* (Dkt. 2) is denied.

3. This case is dismissed.

4. The Clerk is directed to close the case.

DONE AND ORDERED in Tampa, Florida, on March 15, 2022.

s/William F. Jung

WILLIAM F. JUNG

UNITED STATES DISTRICT JUDGE

COPIES FURNISHED TO:

Plaintiff, *pro se*